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REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – THIRD SESSION – 2024
DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND FOREIGN
RELATIONS

- REPORT ON THE CONSIDERATION FOR RATIFICATION OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 19 SEP 2024	DAY: THURSDAY
TABLED BY:	HON. NELSON KOECH, MP CHAIRPERSON, SC ON DEFENCE
CLERK-AT THE-TABLE:	VIVIAN WAMBUI

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

SEPTEMBER, 2024



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LIST OF ABBREVIATIONS AND ACRONYMS

ANC	-	Amani National Congress
ODM	-	Orange Democratic Movement
UDA	-	United Democratic Alliance
UDM	-	United Democratic Movement
WDM-K	-	Wiper Democratic Movement-Kenya

LIST OF ANNEXURES

- Annexure 1: Signed list of Members who attended the sitting which considered and adopted the Report
- Annexure 2: Minutes on sittings of the Committee on consideration of the protocol
- Annexure 3: Copy of newspaper advertisement on public participation and submission of memoranda
- Annexure 4: Copy of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament
- Annexure 5: Copy of a Memorandum on the protocol

CHAIRPERSON'S FOREWORD

This report details the consideration by the Departmental Committee on Defence, Intelligence and Foreign Relations of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament. The protocol was adopted by the Twenty-Third Ordinary Session of the African Union Heads of States and Governments during a meeting held on 27th June 2014 in Malabo, Equatorial Guinea. It is a crucial legal instrument that establishes and governs the functioning of the Pan African Parliament. The strengthening of the Pan-African Parliament through the Protocol will ensure effective and full participation of the African peoples in the economic development and integration of the continent.

The Protocol outlines the composition, powers, functions, and structure of the Pan-African Parliament, including its organs such as the Plenary and Committees. It aims to provide a voice for African people and the diaspora, promote AU policies, human rights, democracy, good governance, and cooperation. Additionally, it seeks to foster peace, prosperity, and solidarity in Africa while encouraging regional integration and the participation of the African Diaspora.

Pursuant to Article 118(1)(b) of the Constitution on Public Participation and Section 8(3) of the Treaty Making and Ratification Act, 2012, the Committee placed advertisements in two local dailies on 16th November 2023 calling for submissions of Memoranda on the subject matter. The Committee did not receive any Memorandum for or against the ratification of the Protocol. Further, the Committee held a meeting with a delegation from the Ministry of Foreign and Diaspora Affairs, led by Amb. Joseph Vungo, MBS who appeared before the Committee on 5th December, 2023 and supported the protocol.

Having reviewed the Protocol and considered the submissions made, the Committee observed that the Protocol is consistent with the Constitution of Kenya and constitutional values.

Having reviewed the Protocol and considered the submissions made, the Committee recommends that pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, the House adopts and **approves** the Ratification of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.

Pursuant to Standing Orders 199(6) and 170A (4) it is my pleasant duty to present to the House the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.

Hon. Nelson Koech, M.P.

Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations

PART I

1.0 PREFACE

1.1 Introduction

1. This report details the consideration by the Departmental Committee on Defence, Intelligence and Foreign Relations of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament. The Protocol is a crucial legal instrument that establishes and governs the functioning of the Pan African Parliament. The strengthening of the Pan-African Parliament through the Protocol will ensure effective and full participation of the African peoples in the economic development and integration of the continent

1.2 Mandate of the Committee

2. The Committee is established under the National Assembly Standing Order No. 216. The functions and mandate of the Committee include, among others, ***“to examine treaties, agreements and conventions”***.
3. The Committee’s subject matters are stated in the Second Schedule of the National Assembly Standing Orders and are as follows: Defence, intelligence, foreign relations, diplomatic and consular services, international boundaries including territorial waters, international relations, and veteran affairs.

1.3 Oversight

5. In executing its mandate, the Committee oversees the following MDAs: The Ministry of Defence, the Ministry of Foreign and Diaspora Affairs, the State Department for East African Community (EAC) Affairs, the National Intelligence Service (NIS).

1.4 Committee Membership

6. The Departmental Committee on Defence, Intelligence and Foreign Relations was constituted by the House on 27th October, 2022 and comprises the following Members:

Chairperson

Hon. Koech Nelson, M.P.

Belgut Constituency

UDA Party

Vice-Chairperson

Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.

Mandera North Constituency

UDM Party

Members

Hon. Wanjira Martha Wangari, M.P,
Gilgil Constituency
UDA Party

Hon. Joshua Kandie, MP
Baringo Central Constituency
UDA Party

Hon. Hassan Abdi Yusuf, MP
Kamkunji Constituency
Jubilee Party

Hon. Kwenya Thuku Zachary, MP
Kinangop Constituency
Jubilee Party

Hon. Odhiambo Millie G. Akoth,MP
Suba North Constituency
ODM Party

Hon. Logova Sloya Clement, MP
Sabatia Constituency
UDA Party

Hon. Kanchory Elijah Memusi, MP
Kajiado Central Constituency
ODM Party

Hon. Ikana Fredrick Lusuli, MP
Shinyalu Constituency
ANC Party

Hon. (Dr.) Kasalu Irene Muthoni,MP
Kitui County
WDM-K

Hon. Mohamed A. Hussein, MP
Lagdera Constituency
ODM Party

Hon. Kirima Moses Nguchine, MP
Imenti Central Constituency
UDA Party

Hon. Teresia Wanjiru Mwangi, MP
Nominated Member
UDA Party

Hon. Luyai Caleb Amisi, MP
Saboti Constituency
ODM Party

1.5 Committee Secretariat

7. The Committee is facilitated by the following technical staff:

Mr. Dennis Mogare Ogechi
First Clerk Assistant/Head of Secretariat

Mr. Lenny Muchangi
Legal Counsel II

Mr. Benard Njeru
Clerk Assistant III

Mr. Salat Ali
Principal Serjeant-at-Arms

Mr. Edwin Machuki
Fiscal Analyst III

Ms. Noelle Chelagat
Media Relations Officer II

Mr. John Nga'ng'a
Audio Recording Officer

Mr. Daniel Ominde
Research Officer III

PART II

2.0 CONSIDERATION OF THE PROTOCOL

2.1 Background

8. The Pan-African Parliament's establishment prospects began with the Treaty Establishing the African Economic Community. The Treaty aimed to establish the African Economic Community to promote economic, social, and cultural development and integrate African economies to enhance economic self-reliance and foster self-sustained development.
9. It sought to create a continental framework for developing, mobilizing, and utilizing Africa's human and material resources for self-reliant development. Additionally, it aimed to promote cooperation across all fields to improve African peoples' living standards, maintain economic stability, foster peaceful relations among Member States, and contribute to the Continent's progress, development, and economic integration. Furthermore, it aimed to coordinate and harmonize policies among existing and future economic communities to gradually establish the Community.
10. The Treaty aimed to establish the Community through six stages within a transitional period not exceeding thirty-four years. At the final stage, within a period not exceeding five years, the Pan-African Parliament's structure would be set up, and its members elected by continental universal suffrage. The Treaty also recognizes the Pan-African Parliament as one of the Community's organs. Article 14 of the Treaty establishes the Pan-African Parliament to ensure full African involvement in the continent's economic development and integration. It stipulates that the composition, functions, powers, and organization of the Pan-African Parliament shall be defined in a Protocol.
11. The Constitutive Act of the African Union established objectives for the union, including promoting unity and solidarity among African countries, defending sovereignty and territorial integrity, accelerating socio-economic integration, fostering cooperation, promoting peace and stability, supporting democracy and good governance, protecting human rights, enhancing Africa's global role, promoting sustainable development, coordinating with regional economic communities, and collaborating on health initiatives.
12. The Act establishes the Pan-African Parliament as one of the organs of the African Union. Article 17(1) of the Act provides for the establishment of a Pan-African Parliament to ensure the full participation of all African peoples in the continent's development and economic integration. It specifies that the composition, powers, functions, and organization of the Pan-African Parliament shall be defined in a related protocol.
13. The member States of the African Union adopted the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament. The Protocol aims to establish a legal framework governing the Pan-African Parliament's functioning. Approved for ratification on 25th July 2023, it serves to ensure the full participation of African states in the continent's economic development and integration. The Pan-African Parliament (PAP) functions as a platform for people from all African states to engage in discussions and decision-making regarding the continent's problems and challenges.
14. The vision behind establishing the Pan-African Parliament was to provide a common platform for African peoples, both within the continent and in the diaspora, along with their grassroots organizations. This platform aimed to enhance their involvement in discussions and decision-making regarding the problems and challenges facing the continent.

2.2 Outline of the Protocol

15. The protocol has a total of twenty-two (27) Articles including the Preamble as outlined hereunder.
16. The Preamble notes that the strengthening of the Pan-African Parliament will ensure effectively the full participation of the African peoples in the economic development and integration of the continent;
17. Article 1 comprises various definitions applying to the protocol.
18. Article 2 provides for the organs of the Pan African Parliament: Plenary; Bureau; Secretariat Committees; and regional groups.
19. Article 3 provides for the objectives of the Pan African Parliament which include to—
 - (a) give a voice to the African peoples and Diaspora;
 - (b) facilitate the effective implementation of the policies and objectives of the AU;
 - (c) promote the principles of human and people's rights and democracy in Africa;
 - (d) encourage good governance, respect for the rule of law, transparency and accountability in Members States;
 - (e) familiarize the peoples of Africa and the African Diaspora with the objectives and policies aimed at integrating the African Continent within the framework of the African Union;
 - (f) promote peace, security and stability;
 - (g) contribute to a more prosperous future of the peoples of Africa by promoting collective self-reliance and economic recovery;
 - (h) facilitate cooperation and development in Africa;
 - (i) strengthen continental solidarity, co-operation and development and build a sense of common destiny;
 - (j) facilitate cooperation among Regional Economic Communities in Africa and their Parliamentary fora;
 - (k) encourage National and Regional Parliaments to ratify and integrate treaties adopted by the AU into their legal systems;
 - (l) co-operate with National and Regional Parliaments and similar bodies within and outside Africa as well as civil societies, community-based organizations and grassroots organizations;
 - (m) invite and encourage the full participation of African Diaspora as an important part of the African peoples in the building of the African Union in accordance with modalities approved by the Assembly.
20. Article 4 provides for the membership of the Pan African Parliament which includes five members from each State Party, two of whom shall be women.
21. Article 5 discusses the elections of members to the Pan African Parliament. It requires the National Parliament or other deliberative body to elect from outside its membership, five members of the Pan African Parliament. It also requires that the representation must reflect the diversity of political opinions in each National Parliament or other deliberative body taking into account the number of members from each political party represented in the National Parliament. Further, it provides that the elections of members of the Pan African Parliament shall be conducted as far as possible in the same month through the Member States as maybe decided by the Assembly.
22. Article 5 also provides that the qualifications for elections to the Pan African Parliament shall be the same as for a National Parliament. However, it indicates that membership of the Pan African Parliament shall not be compatible with the exercise of executive or judicial functions in a State Party or a permanent office in the AU, a regional Economic Community or other international organization.

23. Article 5 further provides that a member of a National Parliament or other deliberative body is eligible to contest an election to the Pan African Parliament, however, once elected that member shall resign from the National Parliament.
24. Article 6 provides that the term of office of a member of the Pan African Parliament shall be five years and a member is eligible for re-election for one further term. It further provides that the seat of a member becomes vacant if the holder—
- (a) dies;
 - (b) ceases to satisfy the eligibility criteria stipulated in this protocol;
 - (c) is unable to perform their functions because of physical or mental incapacity;
 - (d) resigns in writing to the President;
 - (e) is removed on grounds of misconduct by the Pan African Parliament in accordance with its rules of procedure;
 - (f) is absent from the Pan African Parliament meeting for such period and in such circumstances as are prescribed by the Rules of Procedure;
 - (g) is convicted by a court of competent jurisdiction of an offence involving fraud, dishonest or moral integrity and sentenced to a term of imprisonment exceeding six (6) months;
 - (h) represents a State Party which is suspended from participating in the activities of the AU;
 - (i) when the member's term expires.
25. Article 7 provides that the Pan African Parliamentarian shall vote in person and in their personal and independent capacity except where they are on an official mission of the Parliament in which case they may vote through a proxy.
26. Article 8 provides that the Pan African Parliament shall be the legislative organ of the African Union. Therefore, the Assembly shall determine the subjects/areas on which the Pan African Parliament may propose draft model laws and the Pan African Parliament may on its own make proposals on the subject/areas on which it may submit or recommend draft model laws to the Assembly for its consideration and approval.
27. The Pan African Parliament shall also—
- (a) receive and consider reports of other organs of the African Union as may be referred to it by the Council of the Assembly, including audits and other reports and make recommendations thereon;
 - (b) debate and discuss its own budget and the budget of the Union and make recommendations thereon to the relevant policy organs;
 - (c) establish any parliamentary committee and determine its functions, mandate, composition and term of office;
 - (d) discuss any matter relevant to the African Union and make recommendations to the Council or Assembly as it may deem appropriate;
 - (e) make proposals to the Council on the structure of the Secretariat of the Parliament taking into account its needs;
 - (f) request the attendance of officials of the other organs of the African Union at its sessions to offer assistance to the Parliament in the discharge of its duties;
 - (g) promote the programmes and objectives of the African Union in Member states;
 - (h) receive, consider and submit opinions on draft legal instruments, treaties and other international agreements as may be referred to it by the Council or Assembly;
 - (i) liaise with National Parliaments or other deliberative bodies and the Parliaments of the Regional Economic Communities on all matters relating to the African Union and regional integration in Africa; and

- (j) carry out such other activities as it deems appropriate to achieve the objectives set out in Article 3 of this Protocol.
28. Article 9 provides that the Pan African Parliamentarians, while exercising their functions, shall enjoy in the territory of each member state, the immunities and privileges extended to representatives of member states under the General Convention on the Privileges and Immunities of the African Union and the Vienna Convention on Diplomatic Relations. Further, Pan African Parliamentarians shall enjoy parliamentary immunity in each member state and shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done within or outside the Parliament.
29. Article 10 provides that Pan African Parliamentarians shall be paid allowances by their respective State Parties.
30. Article 11 provides that the Parliament may adopt and amend its own Rules of Procedure by a two-thirds majority of all its members.
31. Article 12 establishes the Bureau of the Pan African Parliament which shall be elected on a rotational basis among the five regions of the AU. The Parliament shall elect, at its first sitting, from among its members a President and four vice presidents representing the five regions of the AU. The Bureau shall be responsible for the development of policies for the management and administration of the Pan African Parliament, which shall be submitted to the Plenary for approval. The term of the President and Vice presidents of the Bureau shall be two and a half years renewable once.
32. Article 13 provides for the appointment of the Secretary General of the Pan African Parliament and the two deputies. The Secretary General shall appoint staff as may be necessary for the proper functioning of the Pan African Parliament. The Secretary General shall be the accounting officer of the Parliament.
33. Article 14 provides that Parliamentarians shall take an oath or make a solemn declaration before transacting any business immediately after elections.
34. Article 15 provides that the Secretary General shall convene the inaugural session of the Parliament. The Parliament shall meet at least twice a year in ordinary session and an ordinary session may last up to one month. There may also be a request for an extraordinary session. The proceedings of the Parliament shall be open to the public.
35. Article 16 provides that the annual budget of the Parliament shall constitute an integral part of the regular budget of the AU.
36. Article 17 provides that the seat of the Parliament shall be located in the Republic of South Africa.
37. Article 18 provides that the official and working languages of the Parliament shall be those of the AU.
38. Article 19 provides that the Pan African Parliament shall work in close cooperation with the Parliaments of the Regional Economic Communities and the National Parliaments and in doing so may convene annual consultative fora with those parliaments. The Pan African Parliament shall submit reports in writing on its work to the National Parliaments.
39. Article 20 provides that the Chairperson of the Assembly shall deliver a speech on the state of the AU at each inaugural session of a new term of the Parliament.
40. Article 21 provides that the African Court of Justice shall have jurisdiction on all questions of interpretation of this Protocol.

41. Article 22 provides for ratification of the protocol by members states.
42. Article 23 provides that the protocol shall enter into force thirty days after the deposit of the instruments of ratification with the Chairperson of the commission by a simple majority of the member states.
43. Article 24 requires member states to accede to the protocol after its entry into force by depositing the instrument of accession with the Chairperson of the commission.
44. Article 25 provides that the protocol may be amended by a two-thirds majority of the Assembly.
45. Article 26 provides that conferences to review the operation and effectiveness of the protocol may be organized by State parties at intervals of ten years or within such shorter time as the Parliament may decide.
46. Article 27 provides that the present protocol shall upon entry into force replace the Protocol to the Treaty establishing the African Economic Community Relating to the Pan African Parliament.

PART III

3.0 PUBLIC PARTICIPATION/STAKEHOLDER CONSULTATION

3.1 Call for Memoranda from the Public

49. Pursuant to Article 118(1)(b) of the Constitution on Public Participation and Section 8(3) of the Treaty Making and Ratification Act, 2012, the Committee placed advertisements in two local dailies, on 16th November 2023, calling for submissions of memoranda on the subject matter. By the close of the deadline, the Committee had not received any memoranda on the Protocol.

3.2 Meeting with the Ministry of Foreign and Diaspora Affairs

50. The delegation from the Ministry of Foreign and Diaspora Affairs, led by Amb. Joseph Vungo, MBS appeared before the Committee on 5th December, 2023, and submitted as follows.

51. The Protocol to the Constitutive Act of the African Union Relating to the Pan African Parliament was adopted by the Twenty-Third Ordinary Session of the African Union Heads of States and Governments during a meeting held on 27th June 2014 in Malabo, Equatorial Guinea. It is a crucial legal instrument that establishes and governs the functioning of the Pan-African Parliament.

52. According to Article 23 of the Protocol, the Protocol shall enter into force after the deposit of the instruments of ratification with the Chairperson of the AU Commission by a simple majority of the Member States of the AU – this is equivalent to 28 Member States. As of September 2023, 14 Member States had deposited their instruments of ratification whereas 23 Member States had signed the protocol. Kenya signed the Protocol on the 16th of July 2023 but is yet to ratify it.

53. The Pan-African Parliament (PAP) comprises representatives elected from the national parliaments of member States of the African Union. Each Member State elects 5 members to the Pan-African Parliament. At least 2 of the elected members, shall be women. A delegation that does not satisfy this requirement can't be accredited for representation in the Parliament. This composition ensures fair representation and equitable participation of all member states in the Pan- African Parliament.

54. Once the Protocol is ratified and comes into force, membership to the PAP shall be through universal suffrage. This will be done through elections in the respective countries of the Member States. PAP MPs will also be barred from serving as MPs in their respective national legislatures. Currently, this is not the case. Kenya is currently represented by Hon. Danson Mungatana, Hon. Esther Passaris, Hon. Margaret Kamar, Hon. Joseph Majimbo, and Hon. Rahab Mukami.

55. The Pan-African Parliament exercises consultative and advisory powers within the African Union. It serves as a platform for discussing and making recommendations on a wide range of matters, including peace and security, governance, human rights, economic integration, and sustainable development. However, the Pan-African Parliament's decisions are not binding on member States. Nevertheless, its recommendations carry significant weight and contribute to shaping AU policies and initiatives.

56. The Pan-African Parliament collaborates with other organs of the African Union, including the Executive Council and the Assembly of Heads of State and Government. It plays a consultative and advisory role, providing recommendations to these bodies on matters within its mandate. Additionally, the Pan-African Parliament engages with the AU Commission and other AU entities to contribute to the development and implementation of continental policies and initiatives.

57. The main purpose of the Protocol to the Constitutive Act of the AU relating to the Pan-African Parliament is to advance the participation of African peoples in governance, uphold democratic principles, protect human rights, and promote good governance across the African continent by giving a voice to the African people and the Diaspora.
58. By creating a platform for elected representatives from national parliaments to engage in continental affairs, the Protocol aims to enhance the integration and development of Africa, as well as strengthen the democratic foundations of the African Union.
59. The benefits that Kenya stands to enjoy by ratifying the Protocol include:
- a) Demonstrate Kenya's commitment to democracy and the principles of inclusivity and citizen participation. It would provide a platform for Kenyan Parliamentarians to engage in continental decision-making, contribute to policy discussions, exchange ideas, build networks, and promote and represent the interests of the Kenyan people at the continental level.
 - b) Kenya would contribute to the broader objectives of African integration and unity. It would align itself with the goals of the African Union and demonstrate its willingness to collaborate with other African nations in addressing common challenges, promoting regional stability, and fostering economic cooperation.
 - c) The Protocol would give Kenyan parliamentarians a voice and influence in shaping continental policies and initiatives. They would have the opportunity to propose resolutions, contribute to discussions on important matters such as peace and security, human rights, and development, and advocate for positions that align with Kenya's interests.
 - d) Active participation in the Pan-African Parliament would raise Kenya's profile within the African Union and on the continental stage. It would provide opportunities to showcase Kenya's achievements, culture, and contributions, thus bolstering our international credentials and potentially attracting investment, tourism, and other forms of cooperation.
 - e) Involvement in the Pan-African Parliament could lead to increased regional development and cooperation opportunities for Kenya. By engaging with other African nations, Kenya could explore avenues for collaboration in sectors such as infrastructure development, energy, agriculture, and education, fostering economic growth and integration within the region.
60. The financial implications relating to the implementation of the protocol which include administrative costs will be provided for under normal budgetary estimates while the ministerial responsibility for the implementation of the Protocol will fall under the Ministry of Foreign and Diaspora Affairs.
61. The Office of the Attorney General and Department of Justice and the Ministry of Foreign and Diaspora Affairs will coordinate the reporting process on State obligations under the Treaty Making and Ratification Act No. 45 of 2012. The Protocol does not provide for any reservations.

PART IV

4.0 COMMITTEE OBSERVATIONS

56. Having considered the Protocol and analyzed the submissions made, the Committee observed as follows:


- 1) The Protocol to the Constitutive Act of the African Union Relating to the Pan African Parliament is consistent with the Constitution of Kenya and constitutional values.
- 2) The Protocol to the Constitutive Act of the AU relating to the Pan-African Parliament will advance the participation of African peoples in governance, uphold democratic principles, protect human rights, and promote good governance across the African continent by giving a voice to the African people and the Diaspora.
- 3) Through creating a platform for elected representatives from national parliaments to engage in continental affairs, the Protocol will foster the integration and development of Africa and strengthen the democratic foundations of the African Union.
- 4) Kenya stands to enjoy a plethora of benefits by ratifying the Protocol. These include:
 - a) Demonstration of Kenya's commitment to democracy and the principles of inclusivity and citizen participation. It would provide a platform for Kenyan Parliamentarians to engage in continental decision-making, contribute to policy discussions, exchange ideas, build networks, and promote and represent the interests of the Kenyan people at the continental level.
 - b) Kenya would contribute to the broader objectives of African integration and unity. It would align itself with the goals of the African Union and demonstrate its willingness to collaborate with other African nations in addressing common challenges, promoting regional stability, and fostering economic cooperation.
 - c) The Protocol would give Kenyan parliamentarians a voice and influence in shaping continental policies and initiatives. They would have the opportunity to propose resolutions, contribute to discussions on important matters such as peace and security, human rights, and development, and advocate for positions that align with Kenya's interests.
 - d) Active participation in the Pan-African Parliament would raise Kenya's profile within the African Union and on the continental stage. It would provide opportunities to showcase Kenya's achievements, culture, and contributions, thus bolstering our international credentials and potentially attracting investment, tourism, and other forms of cooperation.

PART V


5.0 COMMITTEE RECOMMENDATION

57. The Committee, having reviewed the Protocol and considered the submissions made, recommends THAT:

Pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, the House approves the Ratification of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.

SIGNED:  DATE: 19/07/24

THE HON. NELSON KOECH, M.P.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND
FOREIGN RELATIONS

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 19 SEP 2024	
DAY: THURSDAY	
TABLED BY:	HON. NELSON KOECH, MP CHAIRPERSON, DC ON DEFENCE, INTELLIGENCE & FOREIGN RELATIONS
CLERK-AT THE TABLE:	VIVIAN WAMBUI

LIST OF ANNEXURES

- 1) SIGNED LIST OF MEMBERS WHO ATTENDED THE SITTING WHICH CONSIDERED AND ADOPTED THE REPORT**
- 2) MINUTES ON SITTINGS OF THE COMMITTEE ON CONSIDERATION OF THE PROTOCOL**
- 3) COPY OF NEWSPAPER ADVERTISEMENT ON PUBLIC PARTICIPATION AND SUBMISSIONS OF MEMORANDA FROM THE PUBLIC**
- 4) COPY OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT**
- 5) COPY OF A MEMORANDUM ON THE PROTOCOL**

**1) SIGNED LIST OF MEMBERS WHO ATTENDED THE SITTING WHICH
CONSIDERED AND ADOPTED THE REPORT**



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT – THIRD SESSION
DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE, AND
FOREIGN RELATIONS.
REPORT ADOPTION LIST

**REPORT ON THE CONSIDERATION OF PROTOCOL TO THE CONSTITUTIVE
ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN
PARLIAMENT.**

We, Members of the Departmental Committee on Defence, Intelligence, and Foreign Relations, have pursuant to Standing Order 199, adopted this Report and affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity today, **Thursday 15th August, 2024.**

	NAME	SIGNATURE
1.	The Hon. Koech Nelson, MP (Chairperson)	
2.	The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, MP (Vice Chairperson)	
3.	The Hon. Yusuf Hassan Abdi, CBS, MP	
4.	The Hon. Wanjira Martha Wangari, CBS, MP	
5.	The Hon. Odhiambo Millie Grace Akoth, MP	
6.	The Hon. Kanchory Elijah Memusi, MP	
7.	The Hon. (Dr.) Kasalu Irene Muthoni, MP	
8.	The Hon. Kirima Moses Nguchine, MP	
9.	The Hon. Kandie Joshua Chepyegon, MP	
10.	The Hon. Kwenya Thuku Zachary, MP	
11.	The Hon. Luyai Caleb Amisi, MP	
12.	The Hon. Teresia Wanjiru Mwangi, MP	
13.	The Hon. Logova Sloya Clement, MP	
14.	The Hon. Ikana Fredrick Lusuli, MP	
15.	The Hon. Mohamed Abdikadir Hussein, MP	

**2) MINUTES ON SITTINGS OF THE COMMITTEE ON CONSIDERATION OF
THE PROTOCOL**



THE NATIONAL ASSEMBLY
13TH PARLIAMENT - THIRD SESSION - 2024
DIRECTORATE OF DEPARTMENTAL COMMITTEES
DC- DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS

**MINUTES OF THE 49TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE, INTELLIGENCE, AND FOREIGN RELATIONS HELD ON THURSDAY
15TH AUGUST, 2024 AT 10:00 A.M. IN COMMITTEE ROOM 7, MAIN PARLIAMENT
BUILDINGS.**

PRESENT

1. **The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, MP.** -Vice Chairperson
2. The Hon. Yusuf Hassan Abdi, CBS, MP.
3. The Hon. Wanjira Martha Wangari, CBS, MP.
4. The Hon. Kirima Moses Nguchine, MP.
5. The Hon. Kandie Joshua Chepyegon, MP.
6. The Hon. Logova Sloya Clement, MP.
7. The Hon. Mohamed Abdikadir Hussein, MP.

APOLOGIES

1. **The Hon. Koech Nelson, MP.** -Chairperson
2. The Hon. Odhiambo Millie Grace Akoth, MP.
3. The Hon. Kanchory Elijah Memusi, MP.
4. The Hon. (Dr.) Kasalu Irene Muthoni, MP.
5. The Hon. Kwenya Thuku Zachary, MP.
6. The Hon. Ikana Fredrick Lusuli, MP.
7. The Hon. Luyai Caleb Amisi, MP.
8. The Hon. Teresia Wanjiru Mwangi, MP.

THE NATIONAL ASSEMBLY

- | | | |
|-------------------------|---|----------------------------|
| 1. Mr. Dennis M. Ogechi | - | Clerk Assistant I |
| 2. Mr. Bernard Njeru | - | Clerk Assistant III |
| 3. Mr. Abdi Salat | - | Principal Serjeant-At-Arms |
| 4. Mr. John Ng'ang'a | - | Audio Officer |
| 5. Mr. Daniel Ominde | - | Research Officer III |
| 6. Ms. Noelle Chellagat | - | Media Relations Officer II |
| 7. Mr. Edwin Machuki | - | Fiscal Analyst III |
| 8. Mr. Nephath Githinji | - | Intern |

AGENDA

1. Preliminaries – Prayers, Adoption of the Agenda
2. Confirmation of minutes of previous meeting
3. **Consideration and Adoption of the Report on the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.**
4. Any Other Business
5. Adjournment/Date of the next Sitting

MIN.NO. DDC/DIFR/248/2024:

PRELIMINARIES.

The meeting was called to order at 10:20 a.m. prayer was said and a round of introduction was done. The agenda was unanimously adopted as “*Consideration and Adoption of the Report on the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament*” having been proposed by the Hon. Kandie Joshua Chepyegon, MP and seconded by the Hon. Ikana Fredrick Lusuli, MP.

MIN.NO. DDC/DIFR/249/2024:

CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS.

Confirmation of minutes of the previous meeting was deferred to a later date.

MIN.NO. DDC/DIFR/250/2024:

CONSIDERATION AND ADOPTION OF THE REPORT ON THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT.

The report on Consideration of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament was unanimously adopted having been proposed by Hon. Ikana Fredrick Lusuli, MP and seconded by the Hon. Mohamed Abdikadir Hussein, MP.

It was adopted with the following observations and recommendations:

OBSERVATIONS

The Committee having considered the Protocol and analyzed the submissions made, made the following observations: -

- 1) The Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament is consistent with the Constitution of Kenya and constitutional values.
- 2) The Protocol to the Constitutive Act of the AU relating to the Pan-African Parliament will advance the participation of African peoples in governance, uphold democratic principles, protect human rights, and promote good governance across the African continent by giving a voice to the African people and the Diaspora.
- 3) Through creating a platform for elected representatives from national parliaments to engage in continental affairs, the Protocol will foster the integration and development of Africa and strengthen the democratic foundations of the African Union.

- 4) Kenya stands to enjoy a plethora of benefits by ratifying the Protocol. These include:
- a) Demonstration of Kenya's commitment to democracy and the principles of inclusivity and citizen participation. It would provide a platform for Kenyan Parliamentarians to engage in continental decision-making, contribute to policy discussions, exchange ideas, build networks, and promote and represent the interests of the Kenyan people at the continental level.
 - b) Kenya would contribute to the broader objectives of African integration and unity. It would align itself with the goals of the African Union and demonstrate its willingness to collaborate with other African nations in addressing common challenges, promoting regional stability, and fostering economic cooperation.
 - c) The Protocol would give Kenyan parliamentarians a voice and influence in shaping continental policies and initiatives. They would have the opportunity to propose resolutions, contribute to discussions on important matters such as peace and security, human rights, and development, and advocate for positions that align with Kenya's interests.
 - d) Active participation in the Pan-African Parliament would raise Kenya's profile within the African Union and on the continental stage. It would provide opportunities to showcase Kenya's achievements, culture, and contributions, thus bolstering our international credentials and potentially attracting investment, tourism, and other forms of cooperation.

RECOMMENDATION

The Committee, having reviewed the Protocol and considered the submissions made, recommended that:

Pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, the House approves the Ratification of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.

MIN.NO. DDC/DIFR/251/2024:

ADJOURNMENT AND DATE OF NEXT MEETING.

There being no other business, the meeting was adjourned at 11:25 a.m. The next meeting will be held on notice.

SIGNED:  DATE: 19/09/24

THE HON. NELSON KOECH, MP.

CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS

**3) COPY OF NEWSPAPER ADVERTISEMENT ON PUBLIC PARTICIPATION
AND SUBMISSIONS OF MEMORANDA FROM THE PUBLIC**

Politics Wanyonyi declined offer to be Igathe's running mate and instead went for Westlands MP seat

Raila: Picking Igathe over Wanyonyi was a mistake

Azimio leader says coalition would have won the governor seat with a stronger candidate

BY MOSES NYAMORI

Azimio la Umoja One Kenya leader Raila Odinga has publicly regretted supporting Jubilee Party candidate Polycarp Igathe for Nairobi governor.

Mr Odinga yesterday said Azimio lost the seat for fronting a weak candidate to face off with UDA's Johnson Sakaja, who won with 699,392 votes against Mr Igathe's 573,518. Mr Odinga said it was a mistake to force Westlands MP Timothy Wanyonyi to step down in favour of Mr Igathe.

He described Nairobi City County as an opposition bastion, highlighting how his coalition swept a majority of ward rep and MP seats, as well as the Woman Rep and the Senate seats.

Mr Odinga also beat President William Ruto in Nairobi by gar-

nering 767,395 against 561,775, according to the Independent Electoral and Boundaries Commission.

"We did not get governor, not because we do not enjoy massive support in Nairobi, but because of the candidate we had. He was not strong enough," said Mr Odinga. "We won the Senate seat, Woman Rep position and president. How come we lost the governor? We would have won. I regret prevailing on Wanyonyi to step down."

He said the coalition tried to convince Mr Wanyonyi to be Mr Igathe's running mate, but the Westlands MP rejected the line-up.

"Wanyonyi is a gentleman; he agreed to step down. We later wanted him to be the running mate for the governor race. He told me 'no, I am going back to

Westlands," said Mr Odinga. He made the remarks in Westlands during a meeting with 200 members of the clergy that was hosted by Mr Wanyonyi.

Mr Odinga and other ODM members at the event, among them Deputy Party Leader Wycliffe Oparanya and Secretary-General Edwin Sifuna indicated that they will in 2027 by fronting Mr Wanyonyi for the top county seat.

Mr Odinga also rallied youths who have attained the age of 18 to get national identification documents and register as voters in readiness for 2027.

5

Barely five months after being sworn in as deputy governor, Mr Polycarp Igathe quit, saying he had not earned the trust of then governor Mike Sonko

The decision to front Mr Igathe for governor under Azimio was made at State House, Nairobi and is said to have sparked major infighting in the run up to the August 9, 2022 polls.

In the 2017 elections, President Uhuru Kenyatta's Jubilee settled on a Sonko-Igathe ticket, in what the party honchos said would have had Mr Igathe run the policy, administration and management of the county, while Mr Sonko did the political legwork.

But Mr Sonko soon shunned Mr Igathe, demanding that he be treated as his deputy and not somewhat of an equal. In January 2018, barely five months after being sworn in, Mr Igathe quit, saying he had not earned the trust of Mr Sonko to run the administration and management of the county.

He resurfaced for campaigns in 2022 after the State House-brokered deal. Political figures in Nairobi under the opposition coalition were whipped to go round with him for vote hunting.



Azimio la Umoja One Kenya leader Raila Odinga with Westlands MP Tim Wanyonyi during a meeting with clergy in Nairobi yesterday. PHOTO: IPOOL

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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY THIRTEENTH PARLIAMENT - SECOND SESSION [2023]

IN THE MATTER OF ARTICLES 2(5) AND (6) AND 118 (1)(b) OF THE CONSTITUTION AND SECTION 8 OF THE TREATY MAKING AND RATIFICATION ACT, 2012

AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees;

AND WHEREAS, the Protocol to the Constitutive Act of the African Union Relating to the Pan African Parliament was Tabled in the National Assembly on 8th August 2023 and committed to the **Departmental Committee on Defence, Intelligence, and Foreign Relations** for consideration and reporting to the House;

NOTING that the Protocol is a crucial legal instrument that establishes and governs the functioning of the Pan-African Parliament and that strengthening of the Pan-African Parliament through the Protocol will ensure effective and full participation of the African peoples in the economic development and integration of the continent;

NOW THEREFORE, in compliance with Articles 118(1)(b) and 2(5) and (6) of the Constitution and section 8 of the Treaty Making and Ratification Act, 2012, the Clerk of the National Assembly hereby invites members of the public and stakeholders to submit memoranda on the Protocol.

The full text of the Agreement and the accompanying Memoranda to Parliament may be accessed at www.parliament.go.ke/the-national-assembly/house-business/paper-jaid

The memoranda should be addressed to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to ena@parliament.go.ke; to be received on or before **Thursday 30th November, 2023 at 5.00 p.m.**

S. NJOROGE
CLERK OF THE NATIONAL ASSEMBLY

Thursday 16th November, 2023

"For the Welfare of Society and the just Government of the People"

Murkomen forms team to assess airports after outcry

- ▶ Committee to submit an interim report within 14 days and final report within 28 days.
- ▶ Minister inspects JKIA after social media rage over leaking roofs.

BY MUEL KIPCHUMBA, NAIROBI

Transport Cabinet Secretary Kipchumba Murkomen has formed a committee to investigate the status of Jomo Kenyatta International Airport (JKIA), Wilson Airport and Moi International Airport, Mombasa.

Speaking after inspection of JKIA, Mr Murkomen said the move was necessitated by the experience over the last few months that raised questions about the status of the airport infrastructure.

The committee is mandated to assess the state of the infrastructure and electro-mechanical facilities.

It will also review the works undertaken in the last two years by contractors and identify immediate remedial measures to be undertaken.

"It is expected that the committee will



Transport CS Kipchumba Murkomen inspecting part of the roof at the International Departures at JKIA that was under renovation yesterday. [Denish Ochieng, Standard]

submit an interim report within the next 14 days and the final report within 28 days," the CS said.

The inspection of JKIA by Murkomen came after social media rage over the leaking roofs at the international departures terminal. Videos showed water leaking from the roof after a downpour.

Murkomen admitted that JKIA has not received adequate attention as required over the years and measures are being put in place to address the situation.

The CS announced that installation of a backup generator was in progress and will be complete in the next seven days.

The committee will be led by Engineer Walter Ogolla assisted by George Ngugi, Neepe Iltasayon, Martin Wamae of Public Works, Richard Cherop of KCAA, Christine Nzai of materials testing division, Judith Kimeu, James Mbuli, Chief Architect Lawrence Mochama, Sharon Asiyo of Attorney General's office and Fredrick Kabunge.

COAST

State agency lists key road projects for upgrade in Kwale

Kenya Rural Roads Authority (KeRRA) is undertaking several projects in Kwale County, its Director-General Philemon Kandie has said.

He said once completed, the projects will improve the livelihoods of residents of the region and beyond. Mr Kandie said among these is the Mwachande bridge on river Ramisi along the Milalani-Kikoneni-Mwangulu road (C209).

The bridge which connects Lungalunga and Msambweni constituencies is expected to cost Sh537 million.

Kandie was speaking when he accompanied Roads and Transport Cabinet Secretary Kipchumba Murkomen during his tour of the Coast this week. He said the road that includes the bridge traverses an area where fishing, agriculture and tourism are the main economic activities.

"The road will also make it easier to transport farm produce to markets and thereby uplift the livelihoods of farmers. Local residents will also have easier access to administrative services, health centres and learning institutions," said Kandie.

Another planned project is the Funzi Causeway, located in Msambweni constituency, off the A14 motorway in Milalani. Kandie said the causeway will cost Sh1.1 billion.

The other project, Kandie said, is the upgrading to bitumen standard and performance-based routine maintenance of Kunzi Causeway Road.

He also said the Mwachande bridge will be one of the most critical infrastructure developments in the Coast region, linking thousands of people to markets and amenities like hospitals.

"When completed, it will facilitate faster access to the South Coast and provide a link to the Mwananyamala Industrial Park, which is bound to change the economic fortunes of Kwale County," Kandie said. [Ivy Kariuki]



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - SECOND SESSION (2023)

IN THE MATTER OF ARTICLES 2(5) AND (6) AND 118 (1)(b) OF THE CONSTITUTION AND SECTION 8 OF THE TREATY MAKING AND RATIFICATION ACT, 2012

AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT

INVITATION TO SUBMIT MEMORANDA

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NOTING that the Protocol is a crucial legal instrument that establishes and governs the functioning of the Pan-African Parliament and that strengthening of the Pan-African Parliament through the Protocol will ensure effective and full participation of the African peoples in the economic development and integration of the continent;

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S. NJOROGE

CLERK OF THE NATIONAL ASSEMBLY

Thursday 16th November, 2023

"For the Welfare of Society and the just Government of the People"



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This honor is in recognition of Kipchoge's outstanding and commendable humanitarian and philanthropic contributions to humanity.

The official conferment ceremony is scheduled to take place during the 41st JKUAT Graduation Ceremony on December 1st, 2023, at the Graduation Square, Juja Main Campus, starting at 8:00 a.m.

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4) COPY OF THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING TO THE PAN-AFRICAN PARLIAMENT

 THE NATIONAL ASSEMBLY	
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**PROTOCOL TO THE CONSTITUTIVE ACT
OF THE AFRICAN UNION RELATING TO
THE PAN-AFRICAN PARLIAMENT**

PREAMBLE

The Member States of the African Union, States Parties to the Constitutive Act of the African Union:

Bearing in mind the Sirte Declaration adopted at the Fourth Extraordinary Session of the Assembly of Heads of State and Government held in Sirte, Libya on 9.9.99 establishing the African Union and calling for the speedy establishment of the institutions provided for in the Treaty Establishing the African Economic Community signed in Abuja, Nigeria, on 3 June 1991, and the establishment of the Pan-African Parliament by the year 2000;

Noting, in particular, the adoption by the Assembly of Heads of State and Government meeting at its 36th Ordinary Session in Lome, Togo, from 10 to 12 July 2000, of the Constitutive Act of the African Union, thereby giving concrete expression to the common vision of a united, integrated and strong Africa;

Considering the principles and objectives stated in the Constitutive Act of the African Union;

Further considering that Articles 5 and 17 of the Constitutive Act of the African Union provide for a Pan-African Parliament as an organ of the African Union, whose composition, functions, powers and organization are to be defined in a Protocol;

Further noting that the establishment of the Pan African Parliament is informed by a vision to provide a common platform for African peoples in the continent and the diaspora and their grassroots organizations to be more involved in discussions and decision-making on the problems and challenges facing the continent;

Conscious of the imperative and urgent need to further consolidate the aspiration of the African peoples for greater unity, solidarity and cohesion in a larger community transcending cultural, ideological, ethnic, religious and national differences;

Recalling the Cairo Agenda for Action which was endorsed by the Thirty-first Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, from 26 to 28 June 1995 (AHG/Res. 236 (XXXI)), and which recommended the speeding up of the rationalization of the institutional framework in order to achieve economic integration at the regional level;

Further Recalling the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, which was

adopted by the Twenty-sixth Ordinary Session of the Assembly in Addis Ababa, Ethiopia, on 11 July 1990;

Considering that by the Algiers Declaration (AHG/Decl. 1 (XXXV) of 14 July 1999, the Assembly reaffirmed its faith in the African Economic Community;

Determined to promote democratic principles and popular participation, to consolidate democratic institutions and culture and to ensure good governance;

Further determined to promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;

Conscious of the obligations and legal implications for Member States of the need to establish the Pan African Parliament;

Taking into account the decision of the Assembly adopted at its Twelfth Ordinary Session held in Addis Ababa, Ethiopia in February 2009 [Assembly/AU/Dec. 223 (XII)] requesting the Commission to initiate a review process of the Protocol in consultation with the Permanent Representatives Committee taking into account the views of the Pan African Parliament;

Noting that Articles 25 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament provided for a review of the operation and effectiveness of the Protocol and the system of representation in the Pan African Parliament after five years and also for further Conferences of the Members at intervals of ten (10) years or such shorter time as may be decided by the Pan-African Parliament;

Firmly convinced that the strengthening of the Pan-African Parliament will ensure effectively the full participation of the African peoples in the economic development and integration of the continent;

HEREBY AGREE AS FOLLOWS:

Article 1
Definitions

In this Protocol,

“AU” means the African Union;

“African Diaspora” means peoples of African origin living outside the Continent irrespective of their citizenship and nationality and who are willing to contribute to the development of the Continent and the building of the African Union;

"Assembly" means the Assembly of Heads of States and Government of the African Union;

"Bureau" means the Bureau of the Pan-African Parliament and it is composed by the President and Vice-Presidents of the Pan-African Parliament;

"Chairperson of the Commission" refers to the Chairperson of the African Union Commission;

"Secretary-General" means the Secretary-General of the Pan African Parliament;

"Commission" means the African Union Commission;

"Community" means the African Economic Community;

"Council" means the Executive Council of Ministers of the African Union;

"Court" means the African Court of Justice and Human and Peoples' Rights of the African Union;

"Deputy Secretary-General" means the Deputy Secretary-General of the Pan African Parliament;

"Inaugural Session" means the first meeting of the Pan African Parliament after the election of the Members;

"Member of Pan African Parliament" or **"Pan African Parliamentarian"** or **"Member"** means a person elected to the Pan African Parliament in accordance with Article 5 of this Protocol;

"Member State" means a Member State of the African Union;

"OAU" means the Organization of African Unity;

"Other deliberative body" means the institution in a Member State which performs the legislative functions of the State;

"Parliament" means the Pan African Parliament;

"Plenary" means a meeting of the whole or full Parliament;

"President" unless otherwise specified means the Member of the Pan African Parliament elected to preside over the business of Parliament in accordance with Article 13 of this Protocol;

"Protocol" means the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament;

"Region of Africa" shall have the meaning assigned to it in the relevant decisions of the Assembly;

"State Party" means a Member State who has ratified or acceded to this Protocol.

"Treaty" means the Treaty Establishing the African Economic Community.

Article 2 The Pan African Parliament

1. The Pan African Parliament established by the Protocol to the Treaty establishing the African Economic Community Relating to the Establishment of the Pan African Parliament is hereby continued in existence and shall have the functions and powers provided for in the present Protocol.
2. The organs of the Pan African Parliament shall be the Plenary, the Bureau, the Secretariat, Committees and regional groups.
3. The Pan African Parliamentarians shall represent all the peoples of Africa and the interests of the African diaspora.

Article 3 Objectives of the Pan African Parliament

The objectives of the Pan African Parliament shall be to:

- a) give a voice to the African peoples and the Diaspora;
- b) facilitate the effective implementation of the policies and objectives of the AU;
- c) promote the principles of human and peoples' rights and democracy in Africa;
- d) encourage good governance, respect for the rule of law, transparency and accountability in Member States;

- e) familiarize the peoples of Africa and the African Diaspora with the objectives and policies aimed at integrating the African Continent within the framework of the African Union;
- f) promote peace, security and stability;
- g) contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
- h) facilitate cooperation and development in Africa;
- i) strengthen continental solidarity, co-operation and development and build a sense of common destiny;
- j) facilitate cooperation among Regional Economic Communities in Africa and their Parliamentary fora;
- k) to encourage National and Regional Parliaments to ratify and integrate treaties adopted by the AU into their legal systems';
- l) co-operate with National and Regional Parliaments and similar bodies within and outside Africa as well as civil societies, community based organizations and grassroots organizations;
- m) invite and encourage the full participation of African Diaspora as an important part of the African peoples in the building of the African Union in accordance with modalities approved by the Assembly.

Article 4 Membership

1. Until the Assembly decides otherwise, each State Party shall be represented in the Pan African Parliament by an equal number of parliamentarians.
2. The membership of the Pan African Parliament shall comprise five (5) members elected by each State Party.
3. At least two (2) of the elected members, shall be women. A Delegation which does not satisfy this requirement shall not have the right to be accredited for representation in the Parliament.

Article 5 Elections

1. (a) The National Parliament or other deliberative body shall elect from outside its membership, five (5) members of the Pan African Parliament.

- (b) The representation of each State Party must reflect the diversity of political opinions in each National Parliament or other deliberative body taking into account the number of members from each political party represented in the national Parliament.
 - (c) The elections of Members of the Pan African Parliament by the National Parliaments or other deliberative body shall be conducted as far as possible in the same month throughout the Member States as maybe decided by the Assembly.
 - (d) The election of the President of the Pan African Parliament shall be presided over by the Chairperson of the Assembly
2. (a) Qualifications for election to the Pan African Parliament shall be the same as for a National Parliament or other deliberative body.
- (b) Notwithstanding paragraph 2(a) of this Article, membership of the Pan African Parliament shall not be compatible with the exercise of executive or judicial functions in a State Party or a permanent office in the AU, a Regional Economic Community or other international organization.
3. Until a code is developed for election to the Pan African Parliament by direct universal suffrage, the procedure for election to the Pan African Parliament shall be determined by the National Parliament or other deliberative body of each Member State.
4. (a) The institution of a Member State which determines disputes about elections to the National Assembly or other deliberative body shall be responsible for determining any question that may arise as to whether a person has been duly elected a Member of the Pan African Parliament or whether a vacancy has occurred in the representation at the Pan African Parliament of a Member State.
- (b) Where the institution decides that a vacancy has occurred a bye-election shall be conducted to elect another person to fill the vacancy.
5. The Speaker/President of the National Parliament or other deliberative body shall notify the President of the Pan African Parliament of every election under paragraph one (1) of this Article and every determination under paragraph four (4) of this Article.

6. For the avoidance of doubt, a Member of a National Parliament or other deliberative body is eligible to contest an election to the Pan African Parliament. However, if elected, he or she shall resign from the National Parliament or other deliberative body.

Article 6

Tenure of Office of a Member and Vacancies

1. The term of a Member of the Pan African Parliament shall be five (5) years. He or she shall be eligible for re-election for one (1) further term only.
2. The term of a Member of the Pan African Parliament shall commence from the date on which he or she is sworn into office and shall end on the last day of the term of the Parliament.
3. The seat of a Member of the Pan African Parliament shall become vacant if the holder:
 - a) dies;
 - b) ceases to satisfy the eligibility criteria stipulated in this Protocol for Members of the Pan African Parliament;
 - c) is unable to perform his or her functions because of physical or mental incapacity;
 - d) resigns in writing to the President ;
 - e) is removed on grounds of misconduct by the Pan African Parliament in accordance with its Rules of Procedure;
 - f) is absent from the Pan African Parliament meetings for such period and in such circumstances as are prescribed by the Rules of Procedure of the Pan African Parliament;
 - g) is convicted by a court of competent jurisdiction of an offence involving fraud, dishonesty or moral integrity and sentenced to a term of imprisonment exceeding six (6) months
 - h) Represents a State Party which is suspended from participating in the activities of the AU;
 - i) When his or her term expires.
4. Removal on the grounds stipulated in paragraph 6(c) or 6 (e) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of a debate by two-thirds majority of all the Members of the Pan African Parliament. In the case of a removal on the grounds stipulated in paragraph 6(c), the motion shall, in addition, be supported by

a medical report in accordance with rules provided for in the Rules of Procedure.

5. Where a vacancy occurs in the office of a member of the Pan African Parliament a bye-election shall be conducted to fill his or her place subject to Article 4(3). The person elected shall serve for the remainder of the term of the member and shall be eligible for re-election for a full term.

Article 7
Voting in the Pan African Parliament

The Pan African Parliamentarian shall vote in person and in his or her personal and independent capacity except when he or she is on an official mission of the Parliament in which case he or she may vote through a proxy. A Parliamentarian cannot act as a proxy for more than one (1) Member at a time.

Article 8
Functions and Powers

1. The Pan African Parliament shall be the legislative organ of the African Union. In this regard,
 - a) The Assembly shall determine the subjects/areas on which the Pan African Parliament may propose draft model laws;
 - b) The Pan African Parliament may on its own make proposals on the subjects/areas on which it may submit or recommend draft Model Laws to the Assembly for its consideration and approval.
2. The Pan African Parliament shall also:
 - a) Receive and consider reports of other organs of the African Union as may be referred to it by the Council or the Assembly, including audit and other reports and make recommendations thereon;
 - b) Debate and discuss its own budget and the budget of the Union and make recommendations thereon to the relevant policy organs;
 - c) Establish any Parliamentary Committee and determine its functions, mandate, composition and term of office;
 - d) Discuss any matter relevant to the African Union and make recommendations to the Council or the Assembly as it may deem appropriate;
 - e) Make proposals to the Council on the structure of the Secretariat of the Parliament taking into account its needs;

- f) Request the attendance of officials of the other organs of the African Union at its sessions to offer assistance to the Parliament in the discharge of its duties;
 - g) Promote the programmes and objectives of African Union in Member States;
 - h) Receive, consider and submit opinions on draft legal instruments, treaties and other international agreements as may be referred to it by the Council or Assembly;
 - i) Liaise with National Parliaments or other deliberative bodies and the Parliaments of the Regional Economic Communities on all matters relating to the African Union and regional integration in Africa;
 - j) Carry out such other activities as it deems appropriate to achieve the objectives set out in Article 3 of this Protocol.
3. Without prejudice to the preceding paragraphs and in so far as it is not in conflict with the mandate of any other organ of the AU, the powers and functions of the Parliament may also be exercised through:
- a) Fact-finding or inquiry missions;
 - b) Observer missions;
4. a) The Pan African Parliament shall have the power in accordance with the Financial Rules and Regulations of the African Union, to engage in fund raising activities.
- b) The Pan African Parliament shall not have the power to raise a loan.
5. For the avoidance of doubt, paragraph 2 shall not apply to the Assembly, Council or Court.

Article 9

Privileges and Immunities of the Pan-African Parliamentarians

1. The Pan African Parliamentarians, while exercising their functions, shall enjoy in the territory of each Member State the immunities and privileges extended to representatives of Member States under the General Convention on the Privileges and Immunities of the OAU and the Vienna Convention on Diplomatic Relations.
2. The Pan African Parliamentarians shall enjoy parliamentary immunity in each Member State. Accordingly, a member of the Pan African Parliament shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done by him or her within or outside the Pan

African Parliament in his or her capacity as a Pan African Parliamentarian in the discharge of his or her duties.

3. Without prejudice to paragraph 2 of this Article, the Pan African Parliament shall have the power to waive the immunity of a member in accordance with its Rules of Procedure.

Article 10
Allowances

1. The Pan-African Parliamentarians shall be paid allowances by their respective State Parties.
2. The allowances for the President, Vice Presidents and other officials of Committees shall be the responsibility of the respective States Parties.

Article 11
Rules of Procedure

1. The Parliament may adopt and amend its own Rules of Procedure including the procedures for giving effect to its mandate under Article 8 of this Protocol, by a two-thirds majority of all its members.
2. In developing its Rules of Procedure, the Parliament shall ensure consistency of these Rules with AU rules and regulations.

Article 12
The Bureau of the Pan African Parliament

1. There shall be a Bureau of the Pan African Parliament which shall be elected on a rotational basis among the five (5) regions of the AU.
2. The Pan African Parliament shall elect, at its first sitting, by secret ballot, from among its members and in accordance with its Rules of Procedure, a President and four (4) Vice-Presidents representing the five (5) regions of the AU. The election shall, in each case, be by simple majority of the members present and voting. At least two (2) of the Bureau Members shall be women.
3. The Bureau shall, in line with the relevant AU rules and regulations, be responsible for the development of policies for the management and administration of the affairs and property of the Pan African Parliament, which shall be submitted to the Plenary for approval.

4. The functions of the President and the Vice-Presidents shall be defined in the Rules of Procedure.
5. The term of office of the President and the Vice-Presidents of the Bureau shall be two (2) and a half years renewable once.
6. The President shall preside over all parliamentary proceedings except those held in committees and, in his or her absence, the Vice-Presidents shall act in rotation, in accordance with the Rules of Procedure.
7. The Vice-Presidents shall be ranked in the order of First, Second, Third and Fourth Vice-President, in accordance with the result of the vote. In the absence of the President, each Vice President shall stand in for the President in rotation.
8. The offices of the President and Vice-President shall become vacant if the holder:
 - a) dies;
 - b) resigns in writing to the Bureau;
 - c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - d) is removed on grounds of misconduct;
 - e) loses his/her membership of the Pan African Parliament or when his or her term of office expires.
9. Removal on the grounds stipulated in paragraph 8 (c) or 8 (d) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of debate by two-thirds majority of all the Members of the Pan African Parliament. In the case of removal on the grounds stipulated in 8(c), the motion shall, in addition, be supported by a medical report.
10. In case of a vacancy in the Bureau, a Member of the Pan African Parliament shall be elected in his/her place to complete his/her term, through an election at the sitting of the Pan African Parliament immediately following its occurrence.
11. The President may, with the approval of the Bureau, invite any person to a session of the Pan African Parliament, if in the opinion of the Bureau the business to be transacted at that session renders the presence of that person desirable.

Article 13
The Secretary-General of the Pan African Parliament

1. The Pan African Parliament shall, on the recommendation of the Bureau, appoint a Secretary General and two Deputy Secretaries General in accordance with the AU Staff Rules and Regulations.
2. The Secretary General shall appoint, after consultation with the Bureau, such other staff as may be necessary for the proper functioning of the Pan African Parliament, in accordance with the AU Staff Rules and Regulations.
3. The Secretary General and a Deputy Secretary General shall be a person of proven experience or expertise in parliamentary practice, management and financial administration, and a demonstrated interest and understanding of the process of integration in Africa.
4. The Secretary General shall be the head of the Secretariat, and shall be responsible for the day to day management and administration of the affairs and property of the Pan African Parliament. He/ she shall be accountable to the Parliament through the Bureau.
5. The Secretary General shall be the Accounting Officer of the Parliament.
6. The Secretary General shall, as soon as practicable, cause to be transmitted to the Secretaries General/Clerks of the National Parliaments or other deliberative body and the Parliaments of the Regional Economic Communities copies of the records of all the relevant debates at the sessions and committee hearings of the Pan African Parliament for information.
7. The Deputy Secretaries General shall assist the Secretary General in the discharge of his/her duties.
8. The Secretary General shall ensure that proper books of account are kept for the Pan African Parliament; the Secretary General shall submit annually a report on the utilization of the funds available to the Pan African Parliament including its budgetary allocation through the Bureau to the Council in accordance with the AU Financial Rules and Regulations.
9. The Secretary General and the Deputy Secretaries General shall before assuming office take an Oath or make a Solemn Declaration before the Pan African Parliament.

Article 14
Oath of Office

At its sitting following the election and before transacting any other business, the Parliamentarians shall take an Oath or make a Solemn Declaration. The text of the Oath or Declaration shall be set out as an addendum to the Rules of Procedure.

Article 15
Sessions and Quorum

1. The inaugural session of the Pan African Parliament shall be convened by the Secretary General;
2. The Pan African Parliament shall meet in ordinary session at least twice a year, within a period to be determined in the Rules of Procedure. Each ordinary session may last up to one (1) month.
3. The Bureau, the Assembly, the Council or at least two-thirds of the Pan-African Parliamentarians may, by written notification addressed to the President, request an extraordinary session, subject to the following: -
 - a) The request shall provide the reasons for and details of the matters to be discussed at the proposed extraordinary session.
 - b) The President shall convene such a session within such time as provided for in the Rules of Procedure.
 - c) The session shall discuss only those matters stipulated in the request.
 - d) The session shall end upon exhaustion of the agenda.
 - e) In any case, the duration of an extraordinary session shall not exceed ten (10) days.
4. The proceedings of the Pan African Parliament shall be open to the public, unless otherwise directed by the Bureau.
5.
 - (a) The quorum for a meeting of the Pan African Parliament shall be determined by the Rules of Procedure.
 - (b) The Rules of Procedure may differentiate between the quorum necessary for the conducting ordinary business by the Pan African Parliament and the quorum needed for making valid decisions.

Article 16
Budget of the Pan African Parliament

1. The annual budget of the Pan African Parliament shall constitute an integral part of the regular budget of the AU.
2. The budget shall be drawn up by the Pan African Parliament and submitted to the relevant AU policy organs for approval, in accordance with the AU Financial Rules and Regulations.
3. The financial year of the Pan African Parliament shall be the same as that of the AU.

Article 17
Seat of the Pan-African Parliament

1. The seat of the Pan African Parliament shall be located in the Republic of South Africa.
2. The Pan African Parliament may convene in the territory of any Member State at the invitation of that Member State.

Article 18
Official and Working Languages

The official and working languages of the Pan African Parliament shall be those of the AU.

Article 19
Relations between the Pan African Parliament, the Parliaments of Regional Economic Communities and National Parliaments or other Deliberative Bodies

1. The Pan African Parliament shall work in close co-operation with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body. To this effect, the Pan African Parliament may, in accordance with its Rules of Procedure, convene annual consultative fora with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body to discuss matters of common interest.

2. The Pan African Parliament shall periodically submit a report in writing on its work to the National Parliaments or other deliberative bodies for information. Copies of such reports shall also be submitted to the Ministers with responsibility for foreign affairs, African Union affairs and/ or regional integration.

Article 20
Relations between the Pan African Parliament and
other organs of the AU

1. The Chairperson of the Assembly shall deliver a speech on the state of the AU at each inaugural Session of a new term of the Pan African Parliament.
2. The Chairperson of the Commission shall, at least once during the term of each Parliament, present the Activity Report of the Commission to the Pan African Parliament.
3. The other organs of the AU, except the Assembly, the Council and the Court, shall forward their activity reports annually to the Pan African Parliament by the third month of each succeeding year.
4. The Pan African Parliament shall forward its annual Activity Report to the different organs of the AU, at the latest, by the third month of each succeeding year.

Article 21
Interpretation

The Court shall have jurisdiction on all questions of interpretation of this Protocol.

Article 22
Signature and Ratification

1. This Protocol shall be signed and ratified by Member States in accordance with their respective constitutional procedures.
2. The instruments of ratification or accession shall be deposited with the Chairperson of the Commission.

Article 23
Entry into Force

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson of the Commission by a simple majority of the Member States.

Article 24
Accession

1. A Member State shall accede to this Protocol, after its entry into force, by depositing its instrument of accession with the Chairperson of the Commission. The Chairperson of the Commission shall, upon receipt of such instrument of accession, notify all Member States.
2. For any Member State acceding to this Protocol, the Protocol shall come into force on the date of the deposit of its instrument of accession.

Article 25
Amendment or Revision of the Protocol

1. This Protocol may be amended or revised by a decision of a two-thirds majority of the Assembly.
2. A Member State party to this Protocol or the Pan African Parliament may propose, in writing to the Chairperson of the Commission any amendment or revision of the Protocol.
3. The Chairperson of the Commission shall notify the proposal to all Member States at least thirty (30) days before the meeting of the Assembly, which is to consider the proposal.
4. Save where the proposal originates from the Pan African Parliament, the Chairperson of the Commission shall request the opinion of the Pan African Parliament on the proposal and shall transmit the opinion, if any, to the Assembly, which may approve the proposal, taking into account the opinion of the Pan African Parliament.
5. The amendment or revision shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson by a simple majority of Member States.

Article 26
Review of the Protocol

Conferences to review the operation and effectiveness of the Protocol, the legislative mandate and the system of representation to the Pan African Parliament, may be organized by the States Parties at intervals of ten (10) years, or within such shorter time as the Pan African Parliament may decide with a view to ensuring that the objectives and purposes of this Protocol, as well as the vision

underlying the Protocol, are being realized and that the Protocol meets with the evolving needs of African States.

Article 27
Transitional Provision

1. The present Protocol shall upon entry into force replace the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan African Parliament.
2. The term of office of Member of the Parliament shall terminate within a period not exceeding one year of the entry into force of this Protocol.

**ADOPTED BY THE TWENTY-THIRD ORDINARY SESSION OF
THE ASSEMBLY, HELD IN MALABO, EQUATORIAL GUINEA**

27TH JUNE 2014



MINISTRY OF FOREIGN AND DIASPORA AFFAIRS

PARLIAMENTARY MEMORANDUM ON THE RATIFICATION ON
THE PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN
UNION RELATING TO THE PAN AFRICAN PARLIAMENT

THE NATIONAL ASSEMBLY	
DATE: 08 AUG 2023	DAY: TUE
TABLED BY:	Hon Owen Banya MP Deputy leader, Majority
CLERK AT THE TABLE:	Anne Shisobu

TREATY MEMO NO:/2023

**PARLIAMENTARY MEMORANDUM ON KENYA'S RATIFICATION OF THE
PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION
RELATING TO THE PAN AFRICAN PARLIAMENT**

1. INTRODUCTION

- 1.1 The purpose of this Parliamentary Memorandum is to appraise the National Assembly and seek approval for Kenya's ratification of the Protocol to the Constitutive Act of the African Union Relating to the Pan African Parliament. The Executive approved the ratification.

2. BACKGROUND

- i. The Protocol was adopted by the Twenty-Third Ordinary Session of the African Union Assembly held on **27th June 2014** in **Malabo, Equatorial Guinea**.
- ii. The Protocol to the Constitutive Act of the African Union (AU) relating to the Pan-African Parliament (PAP) is a crucial legal instrument that establishes and governs the functioning of the Pan-African Parliament.
- iii. The formation of the Pan-African Parliament (PAP) is found in the Treaty establishing the African Economic Community (AEC). The AEC Treaty was signed in Abuja on 3rd June 1991 and came into force in May 1994. The mandate of the AEC Treaty was "to promote economic, social, and cultural development and the integration of the African economies." It was envisaged that the Pan-African Parliament (PAP) would be established by the year 2000, but this did not materialize.
- iv. The African States, therefore, resulted in the adoption of the Sirte Declaration in September 1999, at the 4th Extraordinary Session of the Assembly of the Organization of the African Unity (OAU) held in Libya.
- v. The Declaration announces decisions to prepare a Constitutive Act of the African Union that can be ratified by 31st December 2000 and become effective the following year.
- vi. The Constitutive Act lists the Pan-African Parliament as one of the AU's institutions and provides details on its membership, powers, and responsibilities; a protocol relevant to it must outline the structure of the Pan-African Parliament.

- vii. The Pan-African Parliament exercises consultative and advisory powers within the African Union. It serves as a platform for discussing and making recommendations on a wide range of matters, including peace and security, governance, human rights, economic integration, and sustainable development. However, it is important to note that the Pan-African Parliament's decisions are not binding on member states. Nevertheless, its recommendations carry significant weight and contribute to shaping AU policies and initiatives.
- viii. As of 2022, 15 Member States have deposited their instruments of ratification. These include Benin, Cameroon, Chad, Equatorial Guinea, Gambia, Ghana, Madagascar, Mali, Morocco, Niger, Sahrawi Arab Democratic Republic, Sierra Leone, Somalia, and Togo.
- ix. Kenya signed the Protocol on 16th July, 2023 and is yet to ratify the Protocol.

3. OBJECT AND SUBJECT MATTER

The Objectives of the Pan African Parliament shall be to:

- i. Give a voice to the African Peoples and the Diaspora;
- ii. Facilitate the effective implementation of the policies and objectives of the AU;
- iii. Promote the principles of human and people's rights and democracy in Africa;
- iv. Encourage good governance, respect for the rule of law, transparency, and accountability in Member states;
- v. Familiarize the peoples of Africa and the African Diaspora with the objectives and policies aimed at integrating the African Continent within the framework of the African Union;
- vi. Promote peace security and stability;
- vii. Contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
- viii. Facilitate cooperation and development in Africa;
- ix. Strengthen continental solidarity, co-operation and development and build a sense of common destiny;

- x. Facilitate cooperation among Regional Economic Communities in Africa and their Parliamentary fora;
- xi. To encourage National and Regional Parliaments to ratify and integrate treaties adopted by the AU into legal systems;
- xii. Co-operate with National and Regional Parliaments and similar bodies within and outside Africa as well as civil societies, community-based organizations, and grassroots organizations;
- xiii. Invite and encourage the full participation of African Diaspora as an important part of the African peoples in the building of the African Union in accordance with modalities approved by the Assembly.

4. OBLIGATIONS IMPOSED BY THE PROTOCOL.

State Parties are obligated to;

- i. The Pan African Parliamentarians shall be paid allowances by their respective State Parties.
- ii. The allowances for the President, Vice President and other officials of Committees shall be the responsibility of the respective State Parties;
- iii. The membership of the Pan African Parliament shall comprise five (5) members elected by each State Party¹.
- iv. At least two (2) of the elected members, shall be women. A delegation which does not satisfy this requirement shall not have the right to be accredited for representation in Parliament.

5. PROBLEM STATEMENT

- i. One of the primary concerns that led to the formation of the Protocol was the perceived democratic deficit within the African Union. Many African countries faced challenges related to governance, transparency, and citizen participation. The establishment of the Pan-African Parliament aimed to address this issue by

¹ Kenya is represented by Hon. Danson Mungatana, Hon. Esther Passaris, Hon. Margaret Kamar, Hon. Joseph Majimbo and Hon. Rahab Mukami.

providing a platform for elected representatives to contribute to continental decision-making and promote democratic principles.

- ii. At the time, there were challenges in achieving meaningful continental integration in Africa. The establishment of the Pan-African Parliament aimed to promote greater unity, cooperation, and integration among AU member states. By creating a forum for dialogue, the Parliament sought to foster a sense of common purpose and shared responsibility, leading to enhanced continental integration.
- iii. The Protocol aimed to strengthen the institutional architecture of the African Union by establishing a dedicated organ with consultative and advisory powers. The Pan-African Parliament was intended to complement the roles and functions of other AU organs, such as the Executive Council and the Assembly of Heads of State and Government, by providing additional perspectives and recommendations on issues of continental importance.
- iv. The formation of the Pan-African Parliament was also driven by the desire to encourage African-led solutions to the challenges faced by the continent. By involving elected representatives from national parliaments, the Parliament aimed to foster ownership and responsibility among African nations in addressing their own issues and shaping the future of the continent.
- v. The Protocol aimed to strengthen the institutional architecture of the African Union by establishing a dedicated organ with consultative and advisory powers. The Pan-African Parliament was intended to complement the roles and functions of other AU organs, such as the Executive Council and the Assembly of Heads of State and Government, by providing additional perspectives and recommendations on issues of continental importance.

6. JUSTIFICATION

Ratification of the Protocol will:

- i. **Strengthened Regional Cooperation** Kenya's participation in the Pan-African Parliament enhances its regional influence and promotes stronger cooperation among African countries. Through networking, collaboration, and partnerships with parliamentarians from other African nations, Kenya can address shared challenges

and find collective solutions. By actively engaging in the Pan-African Parliament, Kenya can play a pivotal role in shaping regional policies, promoting peace, security, and socio-economic development within the African continent. Strengthened regional cooperation provides Kenya with opportunities for trade, investment, and knowledge exchange, contributing to its economic growth and prosperity.

ii. **Policy Influence and Decision-making.** The Pan-African Parliament serves as a platform for shaping continental policies and initiatives. Kenya's participation enables its parliamentarians to propose resolutions, contribute to policy discussions, and advocate for the interests of the country. By actively engaging in policy debates, Kenya can influence decisions related to peace and security, human rights, economic integration, and sustainable development. Policy influence within the Pan-African Parliament allows Kenya to assert itself as a regional leader, ensuring that its perspectives and concerns are taken into consideration during continental decision-making processes.

iii. **Increased Visibility and International Reputation.** Active participation in the Pan-African Parliament raises Kenya's profile within the African Union and on the continental stage. By representing the country's interests, Kenyan parliamentarians gain increased visibility and recognition among their African counterparts. This heightened visibility attracts potential investors, promotes tourism, and encourages cooperation in various sectors. Moreover, an active presence in the Pan-African Parliament enhances Kenya's international reputation, strengthening its diplomatic relations and influence in global affairs. A positive international reputation can open doors for bilateral and multilateral partnerships, creating new avenues for economic growth and development.

iv. **Sustainable Development Opportunities.** Participation in the Pan-African Parliament provides Kenya with sustainable development opportunities. By engaging in discussions and collaborations within the Parliament, Kenya can access resources, expertise, and funding for development projects. This can contribute to various aspects of Kenya's socio-economic aspirations, such as infrastructure development, education, healthcare, and technology advancement. The Pan-African Parliament serves as a platform for sharing best practices and learning from

successful initiatives implemented by other African countries, enabling Kenya to enhance its development efforts.

- v. **Promoting African Integration.** By ratifying the protocol, Kenya would contribute to the broader objectives of African integration and unity. It would align itself with the goals of the African Union and demonstrate its willingness to collaborate with other African nations in addressing common challenges, promoting regional stability, and fostering economic cooperation.
- vi. Ratification of the Convention will be a fulfilment of the Presidential directive on government commitment to ratification of the Protocol.

7. COMMON CONSTITUTIONAL AND LEGISLATIVE IMPLICATIONS

The Protocol is consistent with the Constitution and promotes constitutional values and objectives, it does not allude to an amendment of the Constitution.

8. IMPLICATION RELATING TO COUNTIES

The obligations imposed under the Protocol are under the purview of the National Government.

9. FINANCIAL IMPLICATIONS

Financial requirements for the implementation for the Convention which include administrative costs will be provided for under normal budgetary estimates of the relevant institution.

10. MINISTERIAL RESPONSIBILITY

- i. Responsibility for the implementation of the Protocol to the Constitutive Act of the African Union (AU) relating to the Pan-African Parliament (PAP) will fall under the Ministry of Foreign and Diaspora Affairs.
- ii. The Office of the Attorney General and Department of Justice and the Ministry of Foreign and Diaspora Affairs will coordinate the reporting process on State obligations pursuant to the Treaty Making and Ratification Act No 45 of 2012.

11. RESERVATIONS

The Protocol does not provide for reservations.

12. RECOMMENDATION TO THE NATIONAL ASSEMBLY

In consideration of the aforementioned, the National Assembly is invited to:

1. Note the contents of the Memorandum;
2. Consider and approve Kenya's ratification of the Protocol to the Constitutive Act of the African Union (AU) relating to the Pan-African Parliament (PAP).
3. Direct the Cabinet Secretary of Foreign and Diaspora Affairs to prepare and deposit the instruments of ratification to the relevant depository.

SIGNED.....



DATED.....

25th

JULY, 2023

DR. ALFRED N. MUTUA, EGH
CABINET SECRETARY
MINISTRY OF FOREIGN AND DIASPORA AFFAIRS

5) COPY OF A MEMORANDUM ON THE PROTOCOL



OFFICE OF THE CABINET SECRETARY

MFA.RT/CAB/VOL.1

25th July, 2023

Mr. Samuel Njoroge
Clerk of the National Assembly
Parliament Buildings
NAIROBI

*D/PS
to all members
to accept, register,
to committee & report*

*COA
3/8/2023*

*D/PS
to deal
anymore
3/8/23*

Dear *Ndugu* Clerk,

**RE: MEMORANDUM ON KENYA'S RATIFICATION OF THE
PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN
UNION RELATING TO THE PAN AFRICAN PARLIAMENT**

I refer to the above matter.

Dennis Mogare

As facilitate 15/8/23

The Executive has approved the Ratification of the Protocol to The Constitutive Act of The African Union Relating To The Pan African Parliament.

Pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, I hereby submit a Memorandum and a copy of the Convention for consideration by the National Assembly.

Yours *sincerely,*

AM

**DR. ALFRED N. MUTUA, EGH
CABINET SECRETARY**

THE NATIONAL ASSEMBLY

DATE: 08 AUG 2023

TUESDAY

Hon Dwen Baya MP
Deputy leader, majority

Anne Shubert

CLERK'S OFFICE
P.O. Box 41842, NAIROBI

Encls.

Copy to: Mr. Felix K. Koskei
Chief of Staff & Head of Public Service
Executive Office of the President
NAIROBI

Hon. Justin B. Muturi, EGH
Attorney General
Office of the Attorney General
& Department of Justice
Sheria House
NAIROBI



10

Date:

(iii) **Standardization and branding of Directorate documents** - A concern was raised on the various versions of documents used by officers in the Directorate. The meeting was of the view that the documents generated by the Directorate be standardized and branded for ease of identification. Subsequently, the meeting urged the Taskforce on branding to fast track its work and report back to the Director. Equally, the Task-force on the development of the Directorate's Standard Operating Procedures (SOPs) was asked to finalize development of the assorted templates such as memos and share them with the Heads of Departments for consideration, approval and use by the Directorate.

(iv) **Chambers Uniform** - there was need to make a follow-up on the provision of the new Chamber gowns for Officers by the supplier contracted. A report was to be filed in the next meeting

Action: DDLPS, R.K. Tiampati

(v) **Utilization of Leave Days by officers:** It was observed that the Human Resource Department issued a Communication to the effect that, officers in DLPS have not utilized all their leave days as required. Officers were encouraged to apply and proceed for leave upon approval to avoid losing their allotted days.

Action: Deputy Director & HoDs, DLPS

MIN./DL&P/169/2024: ADJOURNMENT AND DATE OF THE NEXT MEETING

The Chairperson adjourned the meeting at twenty-five minutes to eleven O'clock. The next meeting will be held on Monday, 23rd September 2024 at 8.30 a.m.

Sign:

(Chairperson)

documentation to the Directorate of Legal Services for the preparation of the vellum for onward transmission to H.E. the President for assent.

MIN./DL&P/166/2024: STATUS OF VOTES AND PROCEEDINGS

The meeting was informed that all Votes and Proceedings for the sittings preceding the long recess of 16th August, 2024 were processed and uploaded on the website.

MIN./DL&P/167/2024: BUSINESS FOR THE WEEK

The Head of the Table Office took the meeting through the proposed Business for the Week commencing Tuesday 17th, September 2024.

MIN./DL&P/168/2024: ANY OTHER BUSINESS

Notable activities of the Directorate

- i) **State of the Nation Address (SOTNA)** - It was reported that the State of the Nation address is scheduled for November 2024. Officers were advised to commence the necessary preparations. It was further resolved that a presentation on the preparation of SOTNA be done in the next meeting.

Action: Ms. Rachel Kairu – HoD, IHOD

- (i) **Data collection and Assets Tagging by M/s Space Bar Systems Limited** - it was reported that the exercise is yet to commence as the vetting and accreditation of staffers from the contracted firm was still ongoing.
- (ii) **Duties of Delegation Secretaries** – Officers were reminded that as a secretary to a parliamentary delegation, their responsibility is to facilitate the delegation activity to its logical conclusion which includes, but is not limited to, following up on members to ensure that they surrender or account for the imprest issued, preparation and submission of the report on the activity undertaken, and updating the relevant departments on whether the Members actually travel or not. This would ensure proper management of the institution's resources.

will accord an opportunity to Members to ask Questions hence reducing the number of Statements requested.

- ii) Introduction of a Statement Register and creation of a Google Sheet to be used to register all Statements received and processed to act as a reference point and in tracking the responses and pending Statements by Members.
- iii) Members with statements that are similar in content and context be advised to **jointly sign off on the statement request**, and agree on one member to ask the statement in the House with an opportunity of the other member to raise supplementary issues.

(b) Notable issue

(i) Follow up by Committee Clerks on Committee reports submitted to the Honourable Speaker for approval

It was observed that in several occasions, when Chairpersons of Committees are called upon to table Committee reports in the House, most of them do not have the approved reports. The meeting deliberated on the matter and resolved that committee clerks be reminded to take responsibility for ensuring that they furnish their respective Chairpersons or designated committee members with the approved reports and adequately prepare them on how to table the reports and give Notice of Motion if need be.

(ii) Processing of bills requiring Bicameral Consideration

Officers were advised that when they facilitate consideration of bills that requires bicameral consideration or any other bills during Committee of the Whole House they should prepare the necessary documentation as soon as is practicable. For avoidance of doubt, the responsible officers should prepare the Votes and Proceedings, forwarding letter and Message to the Senate, the Bill, Order Paper(s) of the relevant sitting(s) and the Hansard report(s) and ensure that the same is dispatched to the Senate. For the case of bills that do not require bicameral consideration, the concerned officers should prepare the appropriate

- iv. THAT, in line with the Commonwealth tenet propositioned by Speaker William Lenthall on 4th January 1642 when he declared that “I have neither eyes to see, nor tongue to speak, in this place, but as the House is pleased to direct me, whose servant I am here”, the Speaker does not impose upon Members the methodology through which to execute a Motion, but grants them leeway in determining the most appropriate approach;
- v. THAT, Members of this Honourable House are at liberty, on a case to case basis, through a Procedural Motion, to determine the most appropriate methodology of executing Special Motions, that is, the option of collective approval of all nominees or singular/separate approval of each nominee with the sole objective of obtaining a true and accurate reflection of the will of Members of this Honourable House;
- vi. THAT, the only limitation that Members have in consideration of Special Motions is that no additional name(s) may be proposed to be added to a Special Motion; but proposals to delete a particular name or names from a Special Motion are tenable/admissible but Members need to be cautious as to whether deletion of a particular name is equivalent to rejection.

**MIN./DL&P/165/2024: PROCEDURAL AND NOTABLE ISSUES OF
THE PREVIOUS WEEK**

(a) Procedural issue

Admissibility of Members' Statements and approval by the Honourable Speaker

During the afternoon sitting of Thursday, 15th August 2024, twenty-six (26) Statements were read on the floor of the House. It was also noted that two (2) Statements were similar in terms of content. It was reported that the concerned members were advised on the same but they insisted on the Statements being processed. After a lengthy discussion, the meeting agreed on the following:

- i) During Question time on Wednesday afternoon, a minimum of three (3) Cabinet Secretaries be invited to appear to reply to Questions and provide reports to the House pursuant to the provisions of Standing Order 42C. This

nominees *en bloc* instead of putting it on individual nominees separately as it was guided by the then Speaker in the Twelfth Parliament in a Communication from the Chair dated 23rd August 2018.

The meeting also recalled the precedent set by the House on 14th December 2017 where the during the initial consideration of nominees to the Parliamentary Service Commission; the then Honourable Speaker guided the House that *“Members would vote for the proposed Commissioners separately, and not collectively. However, when the Motion was finally considered by the House on 22nd February 2018, the House resolved to dispense with the Motion as a whole. Additionally, the Speaker reminded the House that Every Motion that comes before the House is brought so that the House can express itself in one way or another—in support or in opposition and thereafter, the House makes a decision/resolution. Such decision, however, should be a true and accurate reflection of the wishes of the House, or of the wishes of the majority present and voting in the House, and should thus not in any way be constrained or hamstrung by the methodology used to execute the Motion, be it a collective methodology or a singular/individual methodology; and Section 9 of the Public Appointments (Parliamentary Approval) Act, 2011 requires Parliament to either approve or reject nomination of a candidate and if Parliament does not make a decision on a nominee, the candidate shall be deemed to have been approved”*.

Consequently, the meeting noted that moving forward, approval of the nominees would be guided by the **Communication from the Chair No. 38 of 2018 dated 23rd August 2018**. In the said Communication the then Speaker guided as follows-

- i. THAT, any given nominee is appointed to a public office as an individual and not as a collective appointee;
- ii. THAT, any decision or resolution of the House ought to be a true and accurate reflection of the wishes of the House irrespective of the methodology used to execute any given Motion;
- iii. THAT, the procedural and technical aspects of a Motion should not overshadow or take pre-eminence over the true will of Members of this August House;

(4) Arising from **MIN./DL&P/154/2024 (4)** regarding **prioritizing the Directorate's activities**, it was reported that the development of the Directorate's Standard Operating Procedures (SOPs) was in the final stages and that the draft SOPs will be ready for validation at the next Directorate retreat.

Action: Mr. Samuel Kalama

(5) Arising from **MIN. DL&P /155/2024 (1)** regarding Manner of reporting progress by Chairperson and recording of the Votes and Proceedings during the Committee of the Whole House, it was noted that the meeting had discussed and agreed on the appropriate procedure for adjourning debate pursuant to Standing Order 96 (1) in reporting progress by the Chairperson.

A query arose on the necessity of allowing one clause to be called out and considered with or without amendments, and the text that ought to be used in the when adjourning debate pursuant to Standing Order 96. It was further noted that the said Standing Order offered the sufficient procedure for recording in the Votes and Proceedings.

It was agreed that the text captured in the Votes and Proceedings for that morning sitting of Wednesday, 7th August 2024, during the Committee of the Whole House on consideration of the Cotton Industry Development Bill (Senate Bill No. 5 of 2023) be shared and discussed in the next meeting.

Action: Ms. Anastacia Thumbi

It was also agreed that the Taskforce on the development of the Directorate's Standard Operating Procedures (SOPs) should come up with a proposal or procedure on how to address such a scenario.

Action: Taskforce on Development of Directorate Standard Operating Procedures

(6) Arising from **MIN. DL&P /155/2024 (2) Approval of Cabinet Secretaries by the House**, it was noted that the Speaker, proceeded to put the Question on all

MIN./DL&P/164/2024: MATTERS ARISING

- (1) Arising from **MIN./DL&P/154/2024(1)** regarding **Staff Welfare Matters**, the Welfare Team informed the meeting that contributions towards appreciation for bundles of joy in respect of Ms. Irene Nduku and Mr. Kanda Tililei was concluded and the funds raised sent to the officers. Subsequently, Ms. Irene Nduku appreciated the kind gesture from the officers.

The meeting was informed that contribution of appreciation for the next two officers, Ms. Mercy Dudi and Mr. Moses Lemuna, was suspended to allow for voluntary contributions towards the bereavement of Mr. Ahmad Kadhi. It was resolved that the collection exercise be closed on Thursday, 19th September, 2024.

Officers were encouraged to continue practicing the principle of social reciprocity in making voluntary contributions towards colleagues. It was pointed out that this principle holds significant importance in the workplace as it fosters a sense of trust and interdependence among employees, which enhances overall workplace dynamism. It was further resolved that any other staff welfare matters would be discussed in the next Directorate's retreat.

- (2) Arising from **MIN./DL&P/154/2024 (2)** regarding **prioritizing the Directorate's activities**, the meeting was informed that the Directorate retreat was tentatively scheduled to be held during the short recess in October 2024.

Action: DDLPS - R.K.Tiampati.

- (3) Arising from **MIN./DL&P/154/2024 (3)** regarding **prioritizing the Directorate's activities**, a report is to be given at the next meeting on the progress in the review of the 7th Edition of the Standing Orders and the Speaker's Rules by the Procedure and House Rules Committee.

Action: DDLPS - Ms. Rachel Kairu

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|---------------------------|--------------------------|
| 6. Ms. Anne Shibuko | - First Clerk Assistant |
| 7. Ms. Gertrude Chebet | - First Clerk Assistant |
| 8. Ms. Halima Suleiman | - First Clerk Assistant |
| 9. Ms. Miriam Modo | - First Clerk Assistant |
| 10. Ms. Christine Ndiritu | - First Clerk Assistant |
| 11. Ms. Joyce Lemerelle | - Second Clerk Assistant |
| 12. Mr. Willis Obiero | - Third Clerk Assistant |
| 13. Mr. Kanda Tililei | - Third Clerk Assistant |

ABSENT

- | | |
|------------------------|--|
| 1. Mr. Nicholas Emejen | - Deputy Director (AA & GPC) |
| 2. Mr. Daniel Mutunga | - Deputy Director, Departmental Committees |
| 3. Mr. Oscar Namulanda | - Deputy Director, AA&OSC |
| 4. Ms. Susan Maritim | - Principal Clerk Assistant II |
| 5. Ms. Leah Wanjiru | - Principal Clerk Assistant II |
| 6. Mr. Finlay Muriuki | - First Clerk Assistant |

MIN./DL&P/161/2024:

PRELIMINARIES

The Chairperson called the meeting to order at 8.30 a.m. and thereafter a prayer was said by Mr. Benson Inzofu.

MIN./DL&P/162/2024:

ADOPTION OF AGENDA

The proposed agenda of the meeting was adopted without amendments, having been proposed by Mr. Samuel Kalama and seconded by Mr. Moses Lomale.

MIN./DL&P/163/2024:

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

Minutes of the Seventeenth Meeting of the Directorate held on Monday, 12th August 2024 were confirmed as a true record of deliberations of the meeting, having been proposed by Ms. Vivian Wambui and seconded by Mr. Mainah Wanjiku.

**MINUTES OF THE EIGHTEENTH MEETING OF THE DIRECTORATE
OF LEGISLATIVE AND PROCEDURAL SERVICES HELD ON MONDAY,
16TH SEPTEMBER 2024 AT 8.30 AM IN COMMITTEE ROOM 7, MAIN
PARLIAMENT BUILDINGS**

PRESENT

1. Mr. Rana Tiampati - Deputy Director, DLPS (*Chairing*)
2. Ms. Rachel Kairu - Deputy Director/Head, IHOD
1. Ms. Wanjiru Ndindiri - PCA I/Head, Table Office Department
2. Mr. Moses Lemuna, HSC - Chief Curriculum Development Officer
3. Mr. Samuel Kalama - Principal Clerk Assistant II
4. Mr. Mainah Wanjiku - Senior Clerk Assistant
5. Ms. Tracy Chebet - Senior Clerk Assistant
6. Mr. Inzofu Mwale - First Clerk Assistant
7. Ms. Esther Nginyo - First Clerk Assistant
8. Ms. Vivian Wambui - Third Clerk Assistant
9. Ms. Anastacia Thumbi - Third Clerk Assistant
10. Mr. Hussein Haile - Third Clerk Assistant (*Taking Minutes*)
11. Mr. Moses Lomale - Third Clerk Assistant
12. Ms. Irene Makau - Third Clerk Assistant
13. Mr. David Mcharo - Third Clerk Assistant
14. Ms. Chumo Cherotich - Third Clerk Assistant
15. Ms. Dorothy Njagu - Third Clerk Assistant

APOLOGIES

1. Mr. Kipkemoi arap Kirui - Ag. Director, DLPS
2. Mr. Noah Too - PCA I/Head, PRJ Department
3. Ms. Anna Musandu - Principal Clerk Assistant II
4. Mr. Ahmed Kadhi - Principal Clerk Assistant II
5. Ms. Perpetual Muiga – K - First Clerk Assistant

Thirteenth Parliament (Third Session)

(11) Ms. Leah Wanjiru	Principal Clerk Assistant II
(12) Ms. Anna Musandu	Principal Clerk Assistant II
(13) Mr. Ahmed Kadhi	Principal Clerk Assistant II
(14) Mr. Mainah Wanjiku	Senior Clerk Assistant
(15) Ms. Tracy Chebet	Senior Clerk Assistant
(16) Ms. Perpetual Muiga-K	First Clerk Assistant
(17) Ms. Esther Nginyo	First Clerk Assistant
(18) Mr. Finlay Muriuki	First Clerk Assistant
(19) Mr. Inzofu Mwale	First Clerk Assistant
(20) Ms. Miriam Modo	First Clerk Assistant
(21) Ms. Anne Shibuko	First Clerk Assistant
(22) Ms. Halima Suleiman	First Clerk Assistant
(23) Ms. Gertrude Chebet	First Clerk Assistant
(24) Ms. Christine Ndiritu	First Clerk Assistant
(25) Ms. Joyce Lemerelle	Second Clerk Assistant
(26) Ms. Dorothy Njagu	Third Clerk Assistant
(27) Ms. Vivian Wambui	Third Clerk Assistant
(28) Mr. Kanda Tililei	Third Clerk Assistant
(29) Ms. Ann Thumbi	Third Clerk Assistant
(30) Mr. Hussein Haile	Third Clerk Assistant
(31) Mr. Willis Obiero	Third Clerk Assistant
(32) Mr. David Mcharo	Third Clerk Assistant
(33) Mr. Moses Lomale	Third Clerk Assistant
(34) Ms. Irene Nduku	Third Clerk Assistant
(35) Ms. Chumo Cherotich	Third Clerk Assistant

Copies to:

<i>Mr. Samuel J. Njoroge</i>	<i>- Clerk of the National Assembly</i>
<i>Mrs. Serah Kioko, MBS</i>	<i>- Deputy Clerk</i>
<i>Mr. Jeremiah Ndombi, MBS</i>	<i>- Deputy Clerk</i>

The Serjeant-at-Arms to reserve Committee Room 7

NA/L&P/13TH PARL/MTG/2024/19

Clerk's Chambers
National Assembly
Parliament Buildings
P.O. Box 41842-00100
NAIROBI

20th September, 2024

**NOTICE OF THE NINETEENTH MEETING OF THE DIRECTORATE
OF LEGISLATIVE AND PROCEDURAL SERVICES**

The Director, Legislative & Procedural Services, conveys his compliments to officers serving in the Directorate and has the honour to invite them to the **19th Meeting** of the Directorate to be held on **Monday, 23rd September 2024 at 8.30 am** in **Committee Room 7, Main Parliament Buildings.**

AGENDA

Prayer

1. Adoption of the Agenda
2. Confirmation of Minutes of the previous Meeting
3. Matters Arising
4. **Procedural and Notable Issues of the Previous Week**
5. **Status of Votes and Proceedings**
6. **Business for the Week commencing Tuesday, 24th September 2024**
7. Any Other Business
8. Adjournment and Date of the Next Meeting

To:

- | | |
|---------------------------|--|
| (1) Mr. Rana Tiampati | Deputy Director, Directorate of L&P |
| (2) Mr. Nicholas Emejen | Deputy Director (AA&GPC) |
| (3) Mr. Daniel Mutunga | Deputy Director, Departmental Committees |
| (4) Ms. Rachel Kairu | Deputy Director/Head, IHOD |
| (5) Mr. George Gazemba | Ag. Deputy Director, Departmental Committees |
| (6) Ms. Wanjiru Ndindiri | PCA I/ Head, Table Office Department |
| (7) Mr. Noah Too | PCA I/ Head, PRJ Department |
| (8) Mr. Moses Lemuna, HSC | Chief Curriculum Development Officer |
| (9) Mr. Samuel Kalama | Principal Clerk Assistant II |
| (10) Ms. Susan Maritim | Principal Clerk Assistant II |